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COMMISSION ON HUMAN RIGHTS

Sub-Commission on Prevention
of Discrimination and
Protection of Minorities
Forty-third Session
Agenda item 6

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII)

Written statement submitted by Anti-Slavery International, a non-governmental organization in consultative status (category II)

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[13 August 1991]

Western Sahara

1. Anti-Slavery International (ASI) wishes to record its support for the peace plan put forward by the Secretary-General of the United Nations and approved by the Security Council (resolution 658/1990) and for the establishment of the United Nations Mission for the Referendum in Western Sahara (MINURSO) approved by the Security Council on 17 May 1991 (resolution 690/1991).

GE.91-13018/1284H

2. ASI was the first organization to bring to an international forum the question of self-determination for POLISARIO (Commission on Human Rights, March 1976), under the agenda item relating to violation of human rights and fundamental freedoms with particular reference to colonial and other dependent territories) and the implementation of United Nations resolutions relating to the right of peoples under colonial and alien domination to self-determination (Sub-Commission on Prevention of Discriminattion and Protection of Minorities, August 1977).

3. ASI welcomes the cessation of hostilities after 18 years of struggle and urges that the greatest support be given by member States to the United Nations Special Representative for Western Sahara, Mr. Johannes Manz, in his delicate task of implementing the referendum plan, which is unique. It hopes that every effort will be made to keep to the planned timetable. In particular ASI would like to draw attention to certain aspects of the referendum, some of which should be resolved through the ongoing negotiations between POLISARIO, the Government of Morocco and the United Nations Special Representative:

(a) Repatriation of Saharawi refugees: UNHCR has not yet secured all the contributions necessary for its work. It is not clear how the refugees will travel or where they will stay.

(b) Moroccan presence: after September 1991, with the reduction of the Moroccan army to 65,000, the Saharawis will still be outnumbered by the Moroccans by three to one. The United Nations force is only 1,695 troops. It is not clear how the "neutralization" of police and paramilitary forces will be achieved.

(c) Sovereignty: Morocco's annexation of Western Sahara has never been officially recognized by the United Nations or by any foreign Government. However, during the referendum, according to the amended plan of April 1991, the infrastructure and administration will remain in the hands of Morocco. The plan of June 1990 indicated that the territory would be under United Nations sovereignty during the period. This arrangement is not problematic if the outcome of the referendum is the eventual integration of the territory into Morocco. If, however, the referendum's outcome is to opt for self-determination, this arrangement is not auspicious.

(d) Resources: although the plan has received good financial support there is no margin for delay. There seem to be no contingency plans nor resources if things go wrong.

4. Whatever the result of the referendum there will be many problems still to resolve and ASI urges that the situation continue to be monitored with regard to human rights.